
Appeal Decision

Site visit made on 7 August 2019

by M Chalk BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 03 September 2019

Appeal Ref: APP/G3110/W/19/3229721

26 Warneford Road, Headington, Oxford OX4 1LU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Shakhil Ahmed against the decision of Oxford City Council.
 - The application Ref 19/00417/FUL, dated 18 February 2019, was refused by notice dated 11 April 2019.
 - The development proposed is described as change of use from C4 to sui generis HMO (7-bed).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is whether the proposal would provide acceptable living conditions for future occupiers having regard to the provision of internal space and the storage of cycles and refuse.

Reasons

3. Warneford Road is a residential street comprised principally of a mix of terraced and semi-detached houses. The street is narrow, with residents' permit parking on both sides essentially restricting the road to a single car's width.
4. The appeal property is a mid-terrace dwelling previously converted to multiple occupation. There is a small enclosed front garden area. The property occupies an L-shaped footprint with accommodation in the roof space provided by a rear dormer window and front rooflights.
5. The property is an existing house in multiple occupation (HMO) with 5 bedrooms on the ground and first floor. Two new bedrooms are proposed in the converted roofspace.

Internal space

6. The front bedroom in the roofspace has a single rooflight which does not provide an acceptable level of outlook for future occupants, and due to the small size of the rooflight results in limited natural light to the room. Together with the sloping roof resulting in limited headroom and not all of the room being available as usable floorspace this would result in a cramped and

oppressive atmosphere within the room and a poor standard of accommodation.

7. The rear bedroom contained within the dormer window would provide an acceptable standard of accommodation for a single person. While the room is small, the window overlooks the rear garden and surrounding area and there is sufficient space for furnishings.
8. The communal space for occupants comprises a living room and kitchen on the ground floor. This is located in the narrow outrigger area of the house, but the accommodation would be of an acceptable standard. The kitchen is large enough to accommodate several people working and circulating at the same time. The living room is large enough to accommodate all the tenants of the HMO.
9. Nevertheless, the development would fail to provide good quality living accommodation for every occupier, contrary to the requirements of policies HP7 and HP12 of the Sites and Housing Plan 2011-2026 (the SHP) and policies CP1 and CP10 of the Oxford Local Plan 2001-2016 (the LP). These policies when taken together seek to ensure that new development is of a high standard of design and provides good quality living accommodation.

Cycle and refuse storage

10. The development proposes storage of up to 4 bicycles in sheds in each of the front and rear gardens (8 bicycles in total). Access to the rear garden is only available through the property, as there is no external access, meaning that some bicycles would have to be carried through the house when used.
11. However, the property currently has no dedicated secure storage for bicycles. The proposal would address this through the provision of the sheds. Whilst some bicycles would still have to be taken through the house to access the shed located in the rear garden, the proposal would provide secure and reasonably convenient bicycle storage. Thus, this aspect of the proposal would be acceptable.
12. Two wheelie bins would be stored in the front garden. The Council states that additional refuse storage would be necessary. This would have to be in the rear garden due to the space that would be occupied by the secure bicycle shed and transferred through the house for collection. Any transfer of refuse would be on an occasional basis for refuse collection and would only be caused by any waste generated that cannot be disposed of in the existing bins.
13. The development would be acceptable in accordance with policy CP10 of the LP and policies HP7, HP13 and HP15 of the SHP. These policies when taken together seek to ensure practicable access within development sites and the proper provision of outdoor needs including refuse storage.

Other matters

14. The appellant has noted that there is a shortfall in housing in Oxford, and that the additional rooms would contribute towards addressing this shortfall. I accord this limited weight in considering this appeal as I have not been provided with detailed evidence of the extent of the shortfall or that accommodation of this type is specifically required to address it. The stated

benefit does not therefore outweigh the harm arising from substandard accommodation.

15. The appellant has also stated that the property is in a sustainable location, benefits from an HMO licence for seven bedrooms, that there is no waste objection and no objection from the Council on neighbour amenity grounds. I consider that these are neutral points that neither add nor subtract weight in considering this appeal.

Conclusion

16. The proposed development would adequately address the needs of future occupants in terms of refuse and secure bicycle storage. However, it would not provide acceptable overall living conditions for all future occupants. For this reason, the appeal is dismissed.

M Chalk

INSPECTOR